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Attorneys for Complainant

**BEFORE THE
RESPIRATORY CARE BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

STEVEN DAVID KAROL
8156 Andasol Avenue
Northridge, California 91325

Respiratory Care Practitioner License No. 9354

Respondent.

Case No. R-1964

OAH No. L2005030043

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

IT IS HEREBY STIPULATED AND AGREED by and between the parties in this proceeding that the following matters are true:

PARTIES

1. Stephanie Nunez (Complainant) is the Executive Officer of the Respiratory Care Board of California (Board). She brought this action solely in her official capacity and is represented in this matter by Bill Lockyer, Attorney General of the State of California, and by Ivan O. Campbell, Deputy Attorney General.

2. Steven David Karol (Respondent) is representing himself in this proceeding and has chosen not to exercise his right to be represented by counsel.

3. On or about August 23, 1985, the Respiratory Care Board of California issued Respiratory Care Practitioner License No. 9354 to Steven David Karol (Respondent). The

1 license was in full force and effect at all times relevant to the charges brought in Accusation No.
2 R-1964 and will expire on August 31, 2006, unless renewed.

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4 JURISDICTION

5 4. Accusation No. R-1964 was filed before the Respiratory Care Board
6 (Board), Department of Consumer Affairs, and is currently pending against Respondent. The
7 Accusation and all other statutorily required documents were properly served on Respondent on
8 December 21, 2004. Respondent timely filed his Notice of Defense contesting the Accusation. A
9 copy of Accusation No. R-1964 is attached as exhibit A and incorporated herein by reference.

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11 ADVISEMENT AND WAIVERS

12 5. Respondent has carefully read, and understands the charges and allegations
13 in Accusation No. R-1964. Respondent also has carefully read, and understands the effects of this
14 Stipulated Surrender of License and Order.

15 6. Respondent is fully aware of his legal rights in this matter, including the
16 right to a hearing on the charges and allegations in the Accusation; the right to be represented by
17 counsel, at his own expense; the right to confront and cross-examine the witnesses against him;
18 the right to present evidence and to testify on his own behalf; the right to the issuance of
19 subpoenas to compel the attendance of witnesses and the production of documents; the right to
20 reconsideration and court review of an adverse decision; and all other rights accorded by the
21 California Administrative Procedure Act and other applicable laws.

22 7. Respondent voluntarily, knowingly, and intelligently waives and gives up
23 each and every right set forth above.

24
25 CULPABILITY

26 8. Respondent admits the truth of each and every charge and allegation in
27 Accusation No. R-1964, agrees that cause exists for discipline and hereby surrenders his license
28 No. 9354 for the Board's formal acceptance.

9. Respondent understands that by signing this stipulation he enables the Board to issue an order accepting the surrender of his Respiratory Care Practitioner License without further process.

CONTINGENCY

10. This stipulation shall be subject to approval by the Respiratory Care Board. Respondent understands and agrees that counsel for Complainant and the staff of the Respiratory Care Board of California may communicate directly with the Board regarding this stipulation and surrender, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

11. The parties understand and agree that facsimile copies of this Stipulated Surrender of License and Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

12. In consideration of the foregoing admissions and stipulations, the parties agree that the (Board) may, without further notice or formal proceeding, issue and enter the following Order:

ORDER

IT IS HEREBY ORDERED that license No. 9354, issued to Respondent Steven David Karol is surrendered and accepted by the Respiratory Care Board.

13. The surrender of Respondent's license and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's

1 license history with the Board.

2 14. Respondent shall lose all rights and privileges as a respiratory care
3 practitioner in California as of the effective date of the Board's Decision and Order.

4 15. Respondent shall cause to be delivered to the Board his certificate
5 evidencing licensure, and if applicable, any pocket or wall certificates, on or before the effective
6 date of the Decision and Order.

7 16. Respondent fully understands and agrees that if he ever files an application
8 for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a
9 petition for reinstatement. Upon such petition, Respondent must reimburse the Board the amount
10 of \$3,038.00, which represents the Board's costs for the investigation and prosecution of this
11 matter. Respondent must also comply with all the laws, regulations and procedures for
12 reinstatement of a revoked license in effect at the time the petition is filed, and all of the charges
13 and allegations contained in Accusation No. R-1964 shall be deemed to be true, correct and
14 admitted by Respondent when the Board determines whether to grant or deny the petition.

15 17. Should Respondent ever apply or reapply for a new license or certification,
16 or petition for reinstatement of a license, by any other health care licensing agency in the State of
17 California, all of the charges and allegations contained in Accusation, No. R-1964 shall be deemed
18 to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any
19 other proceeding seeking to deny or restrict licensure.

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ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Respiratory Care Practitioner. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Respiratory Care Board.

DATED: November 9, 2005

Original signed by:
Steven David Karol (Respondent)
Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Respiratory Care Board of the Department of Consumer Affairs.

DATED: November 3, 2005

BILL LOCKYER, Attorney General
of the State of California

Original signed by:
IVAN O. CAMPBELL
Deputy Attorney General

Attorneys for Complainant

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**BEFORE THE
RESPIRATORY CARE BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. R-1964

STEVEN DAVID KAROL
8156 Andasol Avenue
Northridge, CA 91325

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Respiratory Care Board of California, Department of Consumer Affairs, as its Decision in the above entitled matter.

This Decision shall become effective on January 30, 2006.

It is so ORDERED January 19, 2006.

Original signed by:

LARRY L. RENNER, BS, RRT, RCP, RPFT
PRESIDENT, RESPIRATORY CARE BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA